

TENTATIVE RULING

ISSUED BY JUDGE LOUISE DECARL ADLER

Debtor: CHAUNTEL MARIE BLACKWOOD
Number: 17-07347-LA13

Hearing: 02:00 PM Wednesday, April 4, 2018

Motion: DEBTOR'S MOTION TO VALUE REAL PROPERTY, TREAT CLAIM AS UNSECURED AND AVOID JUNIOR LIEN OF DEUTSCHE BANK NATIONAL TRUST COMPANY. FILED BY ANDREW H. GRIFFIN III

Motion to Value **DENIED WITHOUT PREJUDICE.** The motion cannot be ruled upon at this time. Deutsche Bank has filed an objection (ECF #39) to POC #7 filed by Ocwen, senior secured creditor, raising a question re: the extent and priority of the Ocwen claim (by reason of a loan modification that may have increased the amount of the Ocwen obligation to the derogation of Deutsche Bank's claim). Deutsche Bank will have to file an adversary complaint (FRBP 7001) to determine its priority position vis-a-vis Ocwen which, in turn, will determine whether the motion to strip off Deutsche Bank's junior lien can be granted in whole or in part.

Counsel for Deutsche Bank is directed to promptly file the adversary proceeding to put this matter at issue. When filed, Court will be willing to consolidate the objection to the POC with the adversary complaint.